Kazuya TANIGUCHI, et al.

Serial No.: 09/266,869

Docket No.: 108075-09008

<u>REMARKS</u>

The following remarks are submitted as a full and complete response to the

outstanding Action. Currently, claims 1-14, 16-18 and 24-34 are pending, of which

claims 1, 8, 14, 16 and 30-34 are in independent form. By this Amendment, claims 1-14,

16-18, 25, 26 and 28-34 have been amended to further set forth the application. No new

matter has been added. Accordingly, claims 1-14, 16-18 and 24-34 are submitted for

reconsideration.

Preliminary Matter:

It is noted that the outstanding Action erroneously failed to indicate that claims

5-14 are pending in the application. A correction thereof is respectfully requested.

Section 112, First Paragraph Rejection

Claims 25, 28 and 30 are rejected under 35 U.S.C. §112, first paragraph.

Item 5 of the outstanding Action purports that the specification does not support

the claimed limitation regarding the execution of a no-operation (NOP) instruction when a

pseudo instruction is detected.

In response, claims 25, 28 and 30 have been amended in accordance with the

description on page 7, lines 1-3 of the specification, which discusses the handling of a

NOP instruction in a same manner as a pseudo instruction.

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Section 112, Second Paragraph Rejection

Claims 25, 28 and 30 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

It is respectfully submitted that this rejection is incorrectly applied since a purported lack of support in the specification does not translate into improper antecedent basis to render a claim indefinite under the second paragraph of §112. Nonetheless, this rejection is now moot in view of the amendments to claims 25, 28 and 30.

Claim Rejections

Claims 1, 2, 6-8, 16-18, 24, 27, 30, 32 and 34 are rejected under 35 U.S.C. §102(b) as being anticipated by <u>Cocke et al.</u> (U.S. Patent No. 3,577,189, hereinafter "Cocke"), and claims 3-5, 9-14, 23, 26, 29, 31 and 33 are also rejected under 35 U.S.C. §103(a) as being unpatentable over *Cocke* as applied to claims 1, 2, 6-8, 16-18, 30, 32 and 34.

Cocke uses an instruction including I-, J-, and K- fields which designate the content of a register 56 or a register 51 itself (see Fig. 4A and column 4, lines 63-67 and column 5, lines 67-70 of Cocke). Cocke reads data from the register 51 which temporarily and partially stores the data.

By contrast, data address (or operand) of a pseudo instruction of the present invention is an address of a main memory in which a program itself is stored, and data are read from the main memory. Accordingly, by accessing the main memory, data can be obtained from within the main memory. By contrast, **Cocke** can merely obtain data

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within the limited register. Consequently, it is respectfully submitted that the present

claimed application is allowable over **Cocke** and is not obvious over **Cocke**.

In view of the above remarks, the Applicants respectfully submit that each of

claims 1-14, 16-18 and 24-34 recites subject matter which is neither disclosed nor

suggested in the cited art. Applicants therefore request that each of claims 1-14, 16-18

and 24-34 be found allowable, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in

condition for allowance, it is respectfully requested that the Examiner contact, by

telephone, the Applicants' undersigned attorney at the indicated telephone number to

arrange for an interview to expedite the disposition of this application.

In the event this paper is not timely filed, the Applicants respectfully petition for an

appropriate extension of time. Any fees for such an extension together with any

additional fees may be charged to Counsel's Deposit Account No. 01-2300.

Respectfully submitted,

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